

EXHIBIT E

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FAIRCHILD SEMICONDUCTOR CORPORATION

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALPHA & OMEGA SEMICONDUCTOR,
LTD. and ALPHA & OMEGA
SEMICONDUCTOR, INC.

Plaintiffs and Counterdefendants,

v.

FAIRCHILD SEMICONDUCTOR
CORPORATION,

Defendant and Counterclaimant.

AND CONSOLIDATED ACTION.

Case No. C 07-2638 JSW
[Consolidated with Case No. C 07-2664 JSW]

**FAIRCHILD SEMICONDUCTOR
CORPORATION'S RESPONSES TO
ALPHA & OMEGA SEMICONDUCTOR,
INC.'S FIRST SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS AND
THINGS**

Pursuant to Rules 26(e) and 34 of the Federal Rules of Civil Procedure, Defendant Counterclaimant and Plaintiff Fairchild Semiconductor Corporation ("Fairchild") submits the following responses to Plaintiff, Counterdefendant and Defendant Alpha & Omega Semiconductor, Inc.'s ("AOS") First Set of Requests for Production of Documents and Things.

PRELIMINARY STATEMENT

Fairchild responds to AOS's First Request for Production of Documents and Things subject to

1 the accompanying general objections. Fairchild also submits these responses subject to, without
2 intending to waive, but expressly preserving: (a) any objections as to the competency, relevance,
3 materiality, privilege or admissibility of any of the responses or any of the documents or files
4 identified in any response hereto; and (b) the right to object to other discovery involving or relating to
5 the subject matter of the documents or files identified in response to these requests.

6 Fairchild's response, while based on a diligent investigation by Fairchild, reflects only the
7 current state of Fairchild's knowledge, understanding and belief respecting the matters at issue in this
8 case. Fairchild anticipates that as this case proceeds, further information may be discovered by
9 Fairchild and, without in any way obligating itself to do so, Fairchild reserves the right to modify or
10 supplement this response and to disclose information it may subsequently discover. Further, this
11 response is made without prejudice to using or relying on at trial subsequently discovered information,
12 or information omitted from or not produced in connection with this response.

13 The specific responses that follow are based on information currently available to Fairchild.
14 Without in any way obligating itself to do so, Fairchild reserves the right to amend, modify or
15 supplement these responses at a later date and, to the extent permitted by law, to use other documents
16 or files not identified or produced herein, including but not limited to subsequently discovered
17 documents or files. A response stating that Fairchild "will produce" documents or files is not intended
18 to imply that documents or files exist, but only that Fairchild has or will conduct a reasonable search
19 and produce the responsive documents or files, if any, located in that search.

20 GENERAL OBJECTIONS

21 The following general objections are stated with respect to each request whether or not
22 specifically identified in response thereto:

23 1. Fairchild objects to these requests: (a) insofar as they seek the identification and
24 production of documents or files that were prepared for or in anticipation of litigation, constitute
25 attorneys' work product, contain attorney-client communications, are otherwise privileged or protected
26 from disclosure, and/or is otherwise protected under the Federal Rules of Civil Procedure or other
27 applicable rules; (b) insofar as they seek the identification and production of documents or files which
28 are publicly available and/or uniquely or equally available to AOS from third parties; (c) insofar as

1 they seek the identification and production of documents or files that contain or relate to confidential
2 business or proprietary information; and (d) insofar as they seek the identification and production of
3 documents or files which postdate, and do not specifically refer to, the events which are the subject of
4 this litigation.

5 2. Fairchild objects to each and every request to the extent it purports to call for
6 information outside the scope of discovery.

7 3. Fairchild objects to each and every request to the extent it purports to require an
8 exhaustive response before completion of discovery. Fairchild bases its responses on information
9 reasonably available to it and reserves the right to amend or supplement its responses when and as
10 appropriate.

11 4. Fairchild objects to each and every request to the extent that AOS's "Definitions"
12 purport to impose burdens on Fairchild that are inconsistent with, or not otherwise authorized by, the
13 Federal Rules of Civil Procedure (particularly Rule 34) or the Local Rules. Fairchild will construe
14 and respond to the requests in a manner consistent with the Federal Rules of Civil Procedure and
15 Local Rules and not otherwise.

16 5. Fairchild objects to each and every request referring to "Fairchild," "you" or "your" on
17 the grounds that the incorporation therein of AOS's "Definitions" renders those requests vague,
18 burdensome, oppressive and overbroad, and encompassing entities or persons over whom Fairchild
19 has no control or direction. Fairchild objects to each and every request referring to "Fairchild," "you"
20 or "your" on the grounds that the incorporation therein of AOS's "Definitions" results in requests that
21 seek information neither relevant to the subject matter of this action nor reasonably calculated to lead
22 to the discovery of admissible evidence. Fairchild will respond to requests referring to "Fairchild,"
23 "you" or "your" with the understanding that those terms refer to Plaintiff Fairchild and to the extent of
24 information within its possession, custody or control.

25 6. Fairchild objects to each and every request to the extent that it calls for the production
26 of documents or files that are protected from disclosure by the attorney-client privilege, the attorney
27 work-product doctrine, or any other applicable privilege, immunity, or doctrine. Fairchild uses the
28 word "privilege" in these responses and objections to refer to each of these grounds for protection

1 from disclosure and uses the word "non-privileged" to refer to information not covered by such
2 grounds for protection. Fairchild declines to produce documents or files subject to privilege, and
3 nothing in these responses and objections or in the document production is intended to be or is a
4 waiver of the attorney-client privilege, attorney work-product immunity, or any other applicable
5 privilege, immunity, or doctrine. Fairchild reserves the right to retrieve and to prevent the use of any
6 privileged or protected document inadvertently produced.

7 7. Fairchild objects to each request to the extent that it seeks information that is equally
8 available to both AOS and Fairchild, including information that is contained in publicly available
9 publications, or that must be obtained from third parties.

10 8. Fairchild objects to each request calling for production of information of Fairchild or of
11 third parties that is proprietary, confidential, trade secret or sensitive business information. Fairchild
12 will produce such information only under a suitable protective order. Similarly, Fairchild objects to
13 each request calling for the production of information access to which is restricted by Court order.
14 Fairchild will not produce such information without the consent of interested parties or order of the
15 Court.

16 9. By producing documents or files in lieu of a response, Fairchild does not waive
17 applicable privileges and reserves the right to demand the return of inadvertently produced privileged
18 documents or files pursuant to a procedure agreed to by the parties.

19 10. Fairchild objects to definition of the term "prior art" as vague and ambiguous,
20 overbroad, unduly burdensome and oppressive. Fairchild further objects to definition of the term
21 "prior art" as calling for subjective judgment on the part of Fairchild's attorneys and to the extent it
22 calls for a legal conclusion

23 11. Fairchild reserves the right to assert additional objections to these requests as
24 appropriate and to supplement these objections and responses pending the outcome of further
25 investigation and discovery.

26 12. Fairchild objects to the definition "Accused Fairchild Device" on the grounds that it is
27 vague and ambiguous, overbroad, unduly burdensome and oppressive.

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1 Subject to these general objections, which are incorporated in each and every response below,
 2 Fairchild responds to the individual requests as follows:

3 **OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION**

4 REQUEST FOR PRODUCTION NO. 1:

5 All documents and things that you may use to support your claims or defenses.

6 RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

7 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
 8 further objects to this request to the extent that it seeks information that is protected by the attorney-
 9 client privilege, the attorney work product privilege or any other available privilege or doctrine.
 10 Fairchild further objects on the grounds that this request is overly broad, unduly burdensome and
 11 oppressive and seeking information that is not relevant to the subject matter of the pending action or
 12 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
 13 evidence.

14 Subject to these objections and the General Objections and without waiving them, Fairchild
 15 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
 16 control and that can be located after a reasonably diligent good faith search.

17 REQUEST FOR PRODUCTION NO. 2:

18 All documents and things on which you intend to rely at trial or at any pre-trial hearing.

19 RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

20 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
 21 further objects to this request to the extent that it seeks information that is protected by the attorney-
 22 client privilege, the attorney work product privilege or any other available privilege or doctrine.
 23 Fairchild further objects on the grounds that this request is unduly burdensome and oppressive and
 24 seeking information that is not relevant to the subject matter of the pending action or claims or
 25 defenses of any party, and not reasonably calculated to lead to the discovery of admissible evidence.
 26 Fairchild objects to this request on the grounds that it is premature, as discovery has only recently
 27 commenced.

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1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 3:

5 All documents and things that are identified in or support Fairchild's responses to AOS's First
6 Set of Interrogatories.

7 RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

8 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
9 further objects to this request to the extent that it seeks information that is protected by the attorney-
10 client privilege, the attorney work product privilege or any other available privilege or doctrine.
11 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
12 oppressive and seeking information that is not relevant to the subject matter of the pending action or
13 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
14 evidence.

15 Subject to these objections and the General Objections and without waiving them, Fairchild
16 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
17 control and that can be located after a reasonably diligent good faith search.

18 REQUEST FOR PRODUCTION NO. 4:

19 All documents and things relating to the AOS Asserted Patents, including, but not limited to,
20 any expired patents, any continuations, continuations-in-part, divisionals, reissues, reexaminations, or
21 counterparts related thereto, and any related foreign patents and patent applications, including any
22 underlying patent applications.

23 RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

24 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
25 further objects to this request to the extent that it seeks information that is protected by the attorney-
26 client privilege, the attorney work product privilege or any other available privilege or doctrine.
27 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
28 oppressive based at least on AOS's request for "all documents and things relating to the AOS Asserted

1 Patents.” Fairchild objects to this request on the grounds that the information is publicly available and
2 equally available to AOS.

3 REQUEST FOR PRODUCTION NO. 5:

4 All documents supporting or relating to any contention by Fairchild that it does not infringe the
5 AOS Asserted Patents, including without limitation non-infringement studies, non-infringement
6 reports, and any search, opinion, study, investigation, or analysis conducted by or on behalf of you to
7 determine whether you infringe any AOS Asserted Patents.

8 RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

9 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
10 objects to this request to the extent that it seeks information that is protected by the attorney-client
11 privilege, the attorney work product privilege or any other available privilege or doctrine. Fairchild
12 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive.
13 Fairchild also objects to this request because, as the plaintiff, it is AOS’s burden to prove
14 infringement. AOS’s Preliminary Infringement Contentions are insufficient under the Patent Local
15 Rules and do not properly describe how any of Fairchild’s accused devices allegedly infringe AOS’s
16 asserted patents. To date, Fairchild has not received any infringement contentions from AOS that are
17 sufficient to provide notice of infringement under the Patent Local Rules. Therefore, Fairchild will
18 respond to this request at a reasonable time after AOS provides Fairchild with infringement
19 contentions that are sufficient to set forth the basis of AOS’s allegations of infringement in this case as
20 required under the Patent Local Rules.

21 REQUEST FOR PRODUCTION NO. 6:

22 All documents and things relating to Fairchild's contention that the AOS Asserted Patents are
23 invalid or unenforceable, including but not limited to all prior art which you contend renders the AOS
24 Asserted Patents invalid.

25 RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

26 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
27 further objects to this request to the extent that it seeks information that is protected by the attorney-
28 client privilege, the attorney work product privilege or any other available privilege or doctrine.

1 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
2 oppressive.

3 Subject to these objections and the General Objections and without waiving them, Fairchild
4 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
5 control and that can be located after a reasonably diligent good faith search.

6 REQUEST FOR PRODUCTION NO. 7:

7 All documents and things that you contend are prior art to the AOS Asserted Patents, including
8 without limitation documents and things sufficient to identify products of third parties that you
9 contend constitute prior art to the AOS Asserted Patents, or are believed to be covered by any claim of
10 the AOS Asserted Patents.

11 RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

12 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
13 further objects to this request to the extent that it seeks information that is protected by the attorney-
14 client privilege, the attorney work product privilege or any other available privilege or doctrine.
15 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
16 oppressive.

17 Subject to these objections and the General Objections and without waiving them, Fairchild
18 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
19 control and that can be located after a reasonably diligent good faith search.

20 REQUEST FOR PRODUCTION NO. 8:

21 All documents and things relating to the alleged invalidity or unenforceability of the AOS
22 Asserted Patents, including without limitation any search, opinion, study, report, investigation, or
23 analysis conducted by or on behalf of you to determine whether any AOS Asserted Patents are invalid
24 or unenforceable.

25 RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

26 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
27 further objects to this request to the extent that it seeks information that is protected by the attorney-
28 client privilege, the attorney work product privilege or any other available privilege or doctrine.

1 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
2 oppressive.

3 Subject to these objections and the General Objections and without waiving them, Fairchild
4 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
5 control and that can be located after a reasonably diligent good faith search.

6 REQUEST FOR PRODUCTION NO. 9:

7 All documents and things relating to the level of knowledge, schooling, experience, expertise
8 or relevant technical skill of a person having ordinary skill in the art relating to any invention
9 disclosed, described or claimed in the patents-in-suit (as this phrase is used in 35 U.S.C. § 103).

10 RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

11 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
12 further objects to this request to the extent that it seeks information that is protected by the attorney-
13 client privilege, the attorney work product privilege or any other available privilege or doctrine.
14 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
15 oppressive. Fairchild objects to the extent that this request calls for an expert opinion and expert
16 discovery has not yet commenced.

17 Subject to these objections and the General Objections and without waiving them, Fairchild
18 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
19 control and that can be located after a reasonably diligent good faith search.

20 REQUEST FOR PRODUCTION NO. 10:

21 All documents and things sufficient to show the name, number, line, series, family and any
22 other designation used by you to refer to each Accused Fairchild Device.

23 RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

24 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
25 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive and
26 seeking information that is not relevant to the subject matter of the pending action or claims or
27 defenses of any party, and not reasonably calculated to lead to the discovery of admissible evidence.
28 Fairchild is limiting this request to the eight specific Fairchild devices which were identified in AOS's

1 Preliminary Infringement Contentions.

2 Subject to these objections and the General Objections and without waiving them, Fairchild
3 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
4 control and that can be located after a reasonably diligent good faith search.

5 REQUEST FOR PRODUCTION NO. 11:

6 A fully functional sample of each Accused Fairchild Device.

7 RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

8 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
9 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive and
10 seeking information that is not relevant to the subject matter of the pending action or claims or
11 defenses of any party, and not reasonably calculated to lead to the discovery of admissible evidence.

12 Subject to these objections and the General Objections and without waiving them, Fairchild
13 responds as follows: Fairchild will agree to a mutual exchange of representative accused devices based
14 on an agreement of the parties.

15 REQUEST FOR PRODUCTION NO. 12:

16 All documents and things describing any Accused Fairchild Device, including the recipes,
17 travelers, and/or specifications used to produce the documents and things, and any analyses of the
18 products such as Secondary Ion Mass Spectrometry (SMS), Scanning Electron Microscopy (SEM), or
19 Transmission Electron Microscopy (TEM).

20 RESPONSE TO REQUEST FOR PRODUCTION NO. 12:

21 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
22 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive and
23 seeking information that is not relevant to the subject matter of the pending action or claims or
24 defenses of any party, and not reasonably calculated to lead to the discovery of admissible evidence.
25 Fairchild is limiting this request to the eight specific Fairchild devices which were identified in AOS's
26 Preliminary Infringement Contentions.

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1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 13:

5 All documents and things relating to the research, development, design, configuration,
6 engineering, testing, and operation of any Accused Fairchild Device, including without limitation
7 manuals, design specifications, engineering specifications, manufacturing or production specifications,
8 schematics, diagrams, charts, test results, laboratory notebooks, engineering drawings, design
9 drawings, comparisons and any other analyses.

10 RESPONSE TO REQUEST FOR PRODUCTION NO. 13:

11 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
12 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive and
13 seeking information that is not relevant to the subject matter of the pending action or claims or
14 defenses of any party, and not reasonably calculated to lead to the discovery of admissible evidence.
15 Fairchild is limiting this request to the eight specific Fairchild devices which were identified in AOS's
16 Preliminary Infringement Contentions.

17 Subject to these objections and the General Objections and without waiving them, Fairchild
18 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
19 control and that can be located after a reasonably diligent good faith search.

20 REQUEST FOR PRODUCTION NO. 14:

21 Documents sufficient to determine the structure and/or composition of all Accused Fairchild
22 Devices, including without limitation the materials, layers, regions, semiconductors, insulators,
23 impurities, terminals, impurity concentrations, source contacts, and lead wire configuration.

24 RESPONSE TO REQUEST FOR PRODUCTION NO. 14:

25 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
26 further objects on the grounds that this request is vague and ambiguous and seeking information that is
27 not relevant to the subject matter of the pending action or claims or defenses of any party, and not
28 reasonably calculated to lead to the discovery of admissible evidence. Fairchild is limiting this request

1 to the eight specific Fairchild devices which were identified in AOS's Preliminary Infringement
2 Contentions.

3 Subject to these objections and the General Objections and without waiving them, Fairchild
4 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
5 control and that can be located after a reasonably diligent good faith search.

6 REQUEST FOR PRODUCTION NO. 15:

7 Documents sufficient to determine the manufacturing process by which all Accused Fairchild
8 Devices are made and assembled, including without limitation directions, instructions, procedures,
9 specifications, diagrams, charts, test results, notebooks, drawings, and any analyses for each step in
10 the manufacturing process, i.e., wafer cleaning, substrate formation, photoresists, photolithography
11 masks, photolithography sequences, dopants, doping procedures, and/or describing the characteristics
12 of any Accused Fairchild Device.

13 RESPONSE TO REQUEST FOR PRODUCTION NO. 15:

14 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
15 further objects on the grounds that this request is vague and ambiguous and seeking information that is
16 not relevant to the subject matter of the pending action or claims or defenses of any party, and not
17 reasonably calculated to lead to the discovery of admissible evidence. Fairchild is limiting this request
18 to the eight specific Fairchild devices which were identified in AOS's Preliminary Infringement
19 Contentions.

20 Subject to these objections and the General Objections and without waiving them, Fairchild
21 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
22 control and that can be located after a reasonably diligent good faith search.

23 REQUEST FOR PRODUCTION NO. 16:

24 Documents sufficient to determine the function and/or performance characteristics of all
25 Accused Fairchild Devices, including without limitation the function and/or performance
26 characteristics of any layer, region, interface, connection, and/or bond, the spreading resistance,
27 conductivity type, threshold voltage, turn-on resistance, depletion width, channel length, breakdown
28 voltage, breakdown profile, and punch-through tolerance of the devices.

1 RESPONSE TO REQUEST FOR PRODUCTION NO. 16:

2 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
3 further objects on the grounds that this request is vague and ambiguous and seeking information that is
4 not relevant to the subject matter of the pending action or claims or defenses of any party, and not
5 reasonably calculated to lead to the discovery of admissible evidence. Fairchild is limiting this request
6 to the eight specific Fairchild devices which were identified in AOS's Preliminary Infringement
7 Contentions.

8 Subject to these objections and the General Objections and without waiving them, Fairchild
9 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
10 control and that can be located after a reasonably diligent good faith search.

11 REQUEST FOR PRODUCTION NO. 17:

12 All documents and things relating to the configuration of lead wire and source contacts of any
13 Accused Fairchild Devices, including without limitation documents and things discussing the even or
14 uneven distribution of lead wires for source contact connections and documents and things discussing
15 lead wire configuration and on-resistance or spread-resistance.

16 RESPONSE TO REQUEST FOR PRODUCTION NO. 17:

17 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
18 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive and
19 seeking information that is not relevant to the subject matter of the pending action or claims or
20 defenses of any party, and not reasonably calculated to lead to the discovery of admissible evidence.
21 Fairchild is limiting this request to the eight specific Fairchild devices which were identified in AOS's
22 Preliminary Infringement Contentions.

23 Subject to these objections and the General Objections and without waiving them, Fairchild
24 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
25 control and that can be located after a reasonably diligent good faith search.

26 REQUEST FOR PRODUCTION NO. 18:

27 All documents and things relating to the development of the configuration of lead wire and
28 source contacts of MOSFET devices, including without limitation documents and things discussing

1 the even or uneven distribution of lead wires for source contact connections and documents and things
2 discussing lead wire configuration and on-resistance or spread-resistance.

3 RESPONSE TO REQUEST FOR PRODUCTION NO. 18:

4 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
5 further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
6 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
7 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
8 discovery of admissible evidence, particularly with respect to the term "MOSFET device." Fairchild
9 objects to this request to the extent that it seeks information that is equally available to both AOS and
10 Fairchild, or that must be obtained from third parties.

11 Subject to these objections and the General Objections and without waiving them, Fairchild
12 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
13 control and that can be located after a reasonably diligent good faith search.

14 REQUEST FOR PRODUCTION NO. 19:

15 All documents and things concerning the advantages or purported advantages of any Accused
16 Fairchild Device, including without limitation statements related to cost savings, quality, reliability,
17 features, functions, power consumption, voltage requirements, or other purported advantages of any
18 Accused Fairchild Device.

19 RESPONSE TO REQUEST FOR PRODUCTION NO. 19:

20 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
21 further objects to this request to the extent that it seeks information that is protected by the attorney-
22 client privilege, the attorney work product privilege or any other available privilege or doctrine.
23 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
24 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
25 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
26 discovery of admissible evidence. Fairchild is limiting this request to the eight specific Fairchild
27 devices which were identified in AOS's Preliminary Infringement Contentions.

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1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 20:

5 All documents and things relating to product specifications for any Accused Fairchild Device,
6 including without limitation documents and things that show their dimensions (including thickness of
7 each layer) and components, materials from which they are made (including concentrations of each
8 element), the electrical properties of the materials, the mechanical properties of the materials, the
9 thermal properties of the materials, and a complete set of design, engineering, and/or manufacturing
10 drawings of any Accused Fairchild Device.

11 RESPONSE TO REQUEST FOR PRODUCTION NO. 20:

12 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
13 further objects to this request to the extent that it seeks information that is protected by the attorney-
14 client privilege, the attorney work product privilege or any other available privilege or doctrine.
15 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
16 oppressive and seeking information that is not relevant to the subject matter of the pending action or
17 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
18 evidence. Fairchild is limiting this request to the eight specific Fairchild devices which were
19 identified in AOS's Preliminary Infringement Contentions.

20 Subject to these objections and the General Objections and without waiving them, Fairchild
21 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
22 control and that can be located after a reasonably diligent good faith search.

23 REQUEST FOR PRODUCTION NO. 21:

24 All articles, publications, papers, reports, or presentations authored in whole or in part by a
25 current or former employee of Fairchild or any entity affiliated with Fairchild concerning any Accused
26 Fairchild Device.

27 RESPONSE TO REQUEST FOR PRODUCTION NO. 21:

28 Fairchild incorporates by reference herein its General Objections stated above. Fairchild

1 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive,
2 particularly with regard to "any entity affiliated with Fairchild," and seeking information that is not
3 relevant to the subject matter of the pending action or claims or defenses of any party, and not
4 reasonably calculated to lead to the discovery of admissible evidence. Fairchild is limiting this request
5 to the eight specific Fairchild devices which were identified in AOS's Preliminary Infringement
6 Contentions.

7 Subject to these objections and the General Objections and without waiving them, Fairchild
8 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
9 control and that can be located after a reasonably diligent good faith search.

10 REQUEST FOR PRODUCTION NO. 22:

11 All documents and things concerning your first design of any Accused Fairchild Device,
12 including but not limited to documents sufficient to identify all persons having knowledge of your first
13 design of the device, any drawings, specifications, recipes, other descriptions of the device, and/or any
14 prototype of the device.

15 RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

16 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
17 further objects to this request to the extent that it seeks information that is protected by the attorney-
18 client privilege, the attorney work product privilege or any other available privilege or doctrine.
19 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
20 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
21 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
22 discovery of admissible evidence. Fairchild is limiting this request to the eight specific Fairchild
23 devices which were identified in AOS's Preliminary Infringement Contentions.

24 Subject to these objections and the General Objections and without waiving them, Fairchild
25 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
26 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 23:

2 All documents and things relating to competitive analyses, comparisons, reports, reverse
3 engineering, or differences in structure, function, operation, performance, or the advantages or
4 disadvantages of any Accused Fairchild Device, including without limitation comparisons of any
5 Accused Fairchild Device to any other device.

6 RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

7 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
8 further objects to this request to the extent that it seeks information that is protected by the attorney-
9 client privilege, the attorney work product privilege or any other available privilege or doctrine.
10 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
11 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
12 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
13 discovery of admissible evidence. Fairchild is limiting this request to the eight specific Fairchild
14 devices which were identified in AOS's Preliminary Infringement Contentions.

15 Subject to these objections and the General Objections and without waiving them, Fairchild
16 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
17 control and that can be located after a reasonably diligent good faith search.

18 REQUEST FOR PRODUCTION NO. 24:

19 Documents and things sufficient to identify any entity that performs any part of the
20 manufacture of any Accused Fairchild Devices, including any entity that acts as a foundry or wafer
21 fab, and documents and things sufficient to identify the role that entity plays in the manufacture of any
22 Accused Fairchild Devices.

23 RESPONSE TO REQUEST FOR PRODUCTION NO. 24:

24 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
25 further objects on the grounds that this request is vague and ambiguous. Fairchild is limiting this
26 request to the eight specific Fairchild devices which were identified in AOS's Preliminary
27 Infringement Contentions.

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1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 25:

5 All documents and things relating to any work performed by any person or entity other than
6 Fairchild or its employees relating to the research, design, development, or manufacture of any
7 Accused Fairchild Device.

8 RESPONSE TO REQUEST FOR PRODUCTION NO. 25:

9 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
10 further objects to this request to the extent that it seeks information that is protected by the attorney-
11 client privilege, the attorney work product privilege or any other available privilege or doctrine.
12 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
13 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
14 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
15 discovery of admissible evidence. Fairchild objects to this request on the grounds that it requests
16 information that may be inaccessible to Fairchild and in the hands of a third party. Fairchild is
17 limiting this request to the eight specific Fairchild devices which were identified in AOS's Preliminary
18 Infringement Contentions.

19 Subject to these objections and the General Objections and without waiving them, Fairchild
20 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
21 control and that can be located after a reasonably diligent good faith search.

22 REQUEST FOR PRODUCTION NO. 26:

23 All communications between you, on the one hand, and the named inventors of the AOS
24 Asserted Patents, on the other hand, relating to any Accused Fairchild Device or any AOS Asserted
25 Patents.

26 RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

27 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
28 further objects to this request to the extent that it seeks information that is protected by the attorney-

1 client privilege, the attorney work product privilege or any other available privilege or doctrine.
2 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
3 oppressive and seeking information that is not relevant to the subject matter of the pending action or
4 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
5 evidence. Fairchild is limiting this request to the eight specific Fairchild devices which were
6 identified in AOS's Preliminary Infringement Contentions.

7 Subject to these objections and the General Objections and without waiving them, Fairchild
8 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
9 control and that can be located after a reasonably diligent good faith search.

10 REQUEST FOR PRODUCTION NO. 27:

11 All documents and things relating to communications between you, on the one hand, and any
12 other person or entity (including actual or potential customers), on the other hand, relating to any
13 patents-in-suit.

14 RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

15 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
16 further objects to this request to the extent that it seeks information that is protected by the attorney-
17 client privilege, the attorney work product privilege or any other available privilege or doctrine.
18 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
19 oppressive and seeking information that is not relevant to the subject matter of the pending action or
20 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
21 evidence.

22 Subject to these objections and the General Objections and without waiving them, Fairchild
23 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
24 control and that can be located after a reasonably diligent good faith search.

25 REQUEST FOR PRODUCTION NO. 28:

26 All documents and things relating to any products that compete with any Accused Fairchild
27 Device in the relevant market, including without limitation competitive analyses and product
28 comparisons.

1 RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

2 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
3 further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
4 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
5 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
6 discovery of admissible evidence. Fairchild is limiting this request to the eight specific Fairchild
7 devices which were identified in AOS's Preliminary Infringement Contentions.

8 Subject to these objections and the General Objections and without waiving them, Fairchild
9 responds as follows:

10 The parties have stipulated that this request can be deferred until a later period in discovery, to
11 be determined by the parties.

12 REQUEST FOR PRODUCTION NO. 29:

13 Documents sufficient to show the earliest date when you became aware of each of the AOS
14 Asserted Patents and the actions taken by you in response to such awareness.

15 RESPONSE TO REQUEST FOR PRODUCTION NO. 29:

16 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
17 further objects to this request to the extent that it seeks information that is protected by the attorney-
18 client privilege, the attorney work product privilege or any other available privilege or doctrine.

19 Subject to these objections and the General Objections and without waiving them, Fairchild
20 responds as follows:

21 The parties have stipulated that this request can be deferred until a later period in discovery, to
22 be determined by the parties, except to the extent it relates to actions taken by Fairchild in response to
23 awareness of the AOS patents.

24 REQUEST FOR PRODUCTION NO. 30:

25 All documents and things relating to knowledge of the AOS Asserted Patents by any
26 individual involved in the research, design, development, engineering and testing of any Accused
27 Fairchild Device.

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1 RESPONSE TO REQUEST FOR PRODUCTION NO. 30:

2 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
3 further objects to this request to the extent that it seeks information that is protected by the attorney-
4 client privilege, the attorney work product privilege or any other available privilege or doctrine.
5 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
6 burdensome and oppressive. Fairchild is limiting this request to the eight specific Fairchild devices
7 which were identified in AOS's Preliminary Infringement Contentions.

8 Subject to these objections and the General Objections and without waiving them, Fairchild
9 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
10 control and that can be located after a reasonably diligent good faith search.

11 REQUEST FOR PRODUCTION NO. 31:

12 All documents and things relating to any Fairchild policy or practice for licensing or valuing
13 the intellectual property, technology, or know-how of others, including but not limited to any such
14 policy or practice that would apply to the AOS Asserted Patents or other patents relating to any
15 Accused Fairchild Device.

16 RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

17 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
18 further objects to this request to the extent that it seeks information that is protected by the attorney-
19 client privilege, the attorney work product privilege or any other available privilege or doctrine.
20 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
21 oppressive and seeking information that is not relevant to the subject matter of the pending action or
22 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
23 evidence. Fairchild is limiting this request to the eight specific Fairchild devices which were
24 identified in AOS's Preliminary Infringement Contentions.

25 Subject to these objections and the General Objections and without waiving them, Fairchild
26 responds as follows:

27 The parties have stipulated that this request can be deferred until a later period in discovery, to
28 be determined by the parties.

1 REQUEST FOR PRODUCTION NO. 32:

2 All documents and things relating to any Fairchild policy or practice for licensing or valuing
3 its intellectual property, technology, or know-how, including but not limited to any such policy or
4 practice that would apply to licenses of the Fairchild Asserted Patents or other patents relating to any
5 AOS Device.

6 RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

7 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
8 further objects to this request to the extent that it seeks information that is protected by the attorney-
9 client privilege, the attorney work product privilege or any other available privilege or doctrine.
10 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
11 oppressive and seeking information that is not relevant to the subject matter of the pending action or
12 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
13 evidence.

14 Subject to these objections and the General Objections and without waiving them, Fairchild
15 responds as follows:

16 The parties have stipulated that this request can be deferred until a later period in discovery, to
17 be determined by the parties.

18 REQUEST FOR PRODUCTION NO. 33:

19 All documents constituting or reflecting license agreements pertaining to the Fairchild
20 Asserted Patents.

21 RESPONSE TO REQUEST FOR PRODUCTION NO. 33:

22 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
23 further objects to this request to the extent that it seeks information that is protected by the attorney-
24 client privilege, the attorney work product privilege or any other available privilege or doctrine.
25 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
26 oppressive.

27 Subject to these objections and the General Objections and without waiving them, Fairchild
28 responds as follows:

1 The parties have stipulated that this request can be deferred until a later period in discovery, to
2 be determined by the parties.

3 REQUEST FOR PRODUCTION NO. 34:

4 Documents sufficient to determine Fairchild's policy or practice for determining whether its
5 products infringe any U.S. patents.

6 RESPONSE TO REQUEST FOR PRODUCTION NO. 34:

7 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
8 further objects to this request to the extent that it seeks information that is protected by the attorney-
9 client privilege, the attorney work product privilege or any other available privilege or doctrine.
10 Fairchild further objects on the grounds that this request is vague and ambiguous, and seeking
11 information that is not relevant to the subject matter of the pending action or claims or defenses of any
12 party, and not reasonably calculated to lead to the discovery of admissible evidence.

13 Subject to these objections and the General Objections and without waiving them, Fairchild
14 responds as follows:

15 The parties have stipulated that this request can be deferred until a later period in discovery, to
16 be determined by the parties.

17 REQUEST FOR PRODUCTION NO. 35:

18 All documents and things relating to your document retention policies.

19 RESPONSE TO REQUEST FOR PRODUCTION NO. 35:

20 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
21 further objects to this request to the extent that it seeks information that is protected by the attorney-
22 client privilege, the attorney work product privilege or any other available privilege or doctrine.
23 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
24 oppressive and seeking information that is not relevant to the subject matter of the pending action or
25 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
26 evidence.

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1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 36:

5 Documents sufficient to show Fairchild's organizational structure, including, but not limited to,
6 the corporate structure, officers, board of directors, predecessor corporations, as well as facilities
7 relating to warranty and service operations for any Accused Fairchild Device, replacement parts
8 operations for any Accused Fairchild Device, quality inspection operations for any Accused Fairchild
9 Device, product refurbishing operations for any Accused Fairchild Device, branch sales operations for
10 any Accused Fairchild Device, and import/export operations for any Accused Fairchild Device,
11 including without limitation, organizational charts, directors and/or personnel lists.

12 RESPONSE TO REQUEST FOR PRODUCTION NO. 36:

13 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
14 further objects on the grounds that this request is vague and ambiguous, and seeking information that
15 is not relevant to the subject matter of the pending action or claims or defenses of any party, and not
16 reasonably calculated to lead to the discovery of admissible evidence. Fairchild is limiting this request
17 to the eight specific Fairchild devices which were identified in AOS's Preliminary Infringement
18 Contentions.

19 Subject to these objections and the General Objections and without waiving them, Fairchild
20 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
21 control and that can be located after a reasonably diligent good faith search.

22 REQUEST FOR PRODUCTION NO. 37:

23 Documents sufficient to identify the location where each Accused Fairchild Device was
24 researched, designed, tested, made, sold or offered for sale by or on behalf of you.

25 RESPONSE TO REQUEST FOR PRODUCTION NO. 37:

26 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
27 further objects on the grounds that this request is seeking information that is not relevant to the subject
28 matter of the pending action or claims or defenses of any party, and not reasonably calculated to lead

1 to the discovery of admissible evidence. Fairchild is limiting this request to the eight specific
2 Fairchild devices which were identified in AOS's Preliminary Infringement Contentions.

3 Subject to these objections and the General Objections and without waiving them, Fairchild
4 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
5 control and that can be located after a reasonably diligent good faith search.

6 REQUEST FOR PRODUCTION NO. 38:

7 All of Fairchild's annual reports to shareholders, annual and quarterly profit and loss
8 statements, Form 10-K reports filed with the U.S. Securities and Exchange Commission, and any
9 prospectus prepared or filed since 1998.

10 RESPONSE TO REQUEST FOR PRODUCTION NO. 38:

11 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
12 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive and
13 seeking information that is not relevant to the subject matter of the pending action or claims or
14 defenses of any party, and not reasonably calculated to lead to the discovery of admissible evidence.
15 Fairchild objects to this request on the grounds that it is not reasonably limited in time, as it requests
16 information "since 1998."

17 Subject to these objections and the General Objections and without waiving them, Fairchild
18 responds as follows:

19 The parties have stipulated that this request can be deferred until a later period in discovery, to
20 be determined by the parties.

21 REQUEST FOR PRODUCTION NO. 39:

22 All documents constituting or relating to business plans, strategic plans, consultant reports or
23 strategy reviews concerning the design, manufacture, marketing or sale of any Accused Fairchild
24 Device.

25 RESPONSE TO REQUEST FOR PRODUCTION NO. 39:

26 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
27 further objects to this request to the extent that it seeks information that is protected by the attorney-
28 client privilege, the attorney work product privilege or any other available privilege or doctrine.

1 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
2 oppressive and seeking information that is not relevant to the subject matter of the pending action or
3 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
4 evidence. Fairchild is limiting this request to the eight specific Fairchild devices which were
5 identified in AOS's Preliminary Infringement Contentions.

6 Subject to these objections and the General Objections and without waiving them, Fairchild
7 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
8 control and that can be located after a reasonably diligent good faith search. The parties have
9 stipulated that this request can be deferred with respect to information concerning marketing or sale of
10 any Accused Fairchild Device.

11 REQUEST FOR PRODUCTION NO. 40:

12 All documents relating to marketing of the Accused Fairchild Devices, including without
13 limitation market requirement statements, marketing reports, market feedback reports, market studies,
14 market forecasts, market surveys, competitive analyses, market share data, customer needs studies,
15 advertising materials, promotional materials, trade show releases, and product descriptive literature.

16 RESPONSE TO REQUEST FOR PRODUCTION NO. 40:

17 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
18 further objects to this request to the extent that it seeks information that is protected by the attorney-
19 client privilege, the attorney work product privilege or any other available privilege or doctrine.

20 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
21 oppressive and seeking information that is not relevant to the subject matter of the pending action or
22 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
23 evidence. Fairchild is limiting this request to the eight specific Fairchild devices which were
24 identified in AOS's Preliminary Infringement Contentions.

25 Subject to these objections and the General Objections and without waiving them, Fairchild
26 responds as follows:

27 The parties have stipulated that this request can be deferred until a later period in discovery, to
28 be determined by the parties.

1 REQUEST FOR PRODUCTION NO. 41:

2 All documents relating to each license granted by you or obtained by you which cover in
3 whole or in part any technology contained in any Accused Fairchild Device, including without
4 limitation complete licensing agreements and royalty reports.

5 RESPONSE TO REQUEST FOR PRODUCTION NO. 41:

6 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
7 further objects to this request to the extent that it seeks information that is protected by the attorney-
8 client privilege, the attorney work product privilege or any other available privilege or doctrine.
9 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
10 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
11 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
12 discovery of admissible evidence. Fairchild is limiting this request to the eight specific Fairchild
13 devices which were identified in AOS's Preliminary Infringement Contentions.

14 Subject to these objections and the General Objections and without waiving them, Fairchild
15 responds as follows:

16 The parties have stipulated that this request can be deferred until a later period in discovery, to
17 be determined by the parties.

18 REQUEST FOR PRODUCTION NO. 42:

19 All documents relating to the negotiations concerning each license granted or obtained by you
20 which cover in whole or in part any technology contained in any Accused Fairchild Device.

21 RESPONSE TO REQUEST FOR PRODUCTION NO. 42:

22 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
23 further objects to this request to the extent that it seeks information that is protected by the attorney-
24 client privilege, the attorney work product privilege or any other available privilege or doctrine.
25 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
26 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
27 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
28 discovery of admissible evidence. Fairchild is limiting this request to the eight specific Fairchild

1 devices which were identified in AOS's Preliminary Infringement Contentions.

2 Subject to these objections and the General Objections and without waiving them, Fairchild
3 responds as follows:

4 The parties have stipulated that this request can be deferred until a later period in discovery, to
5 be determined by the parties.

6 REQUEST FOR PRODUCTION NO. 43:

7 Documents sufficient to identify each of your U.S. and foreign customers for any Accused
8 Fairchild Device.

9 RESPONSE TO REQUEST FOR PRODUCTION NO. 43:

10 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
11 further objects to this request to the extent that it seeks information that is protected by the attorney-
12 client privilege, the attorney work product privilege or any other available privilege or doctrine.
13 Fairchild further objects on the grounds that this request is seeking information that is not relevant to
14 the subject matter of the pending action or claims or defenses of any party, and not reasonably
15 calculated to lead to the discovery of admissible evidence. Fairchild is limiting this request to the
16 eight specific Fairchild devices which were identified in AOS's Preliminary Infringement
17 Contentions.

18 Subject to these objections and the General Objections and without waiving them, Fairchild
19 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
20 control and that can be located after a reasonably diligent good faith search relating to the identity of

21 REQUEST FOR PRODUCTION NO. 44:

22 All documents reflecting communications regarding AOS, any of the patents-in-suit, or this
23 litigation, with each customer, potential customer, buyer, client, consumer or vendor for all the
24 Accused Fairchild Devices.

25 RESPONSE TO REQUEST FOR PRODUCTION NO. 44:

26 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
27 further objects to this request to the extent that it seeks information that is protected by the attorney-
28 client privilege, the attorney work product privilege or any other available privilege or doctrine.

1 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
2 oppressive and seeking information that is not relevant to the subject matter of the pending action or
3 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
4 evidence. Fairchild is limiting this request to the eight specific Fairchild devices which were
5 identified in AOS's Preliminary Infringement Contentions.

6 Subject to these objections and the General Objections and without waiving them, Fairchild
7 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
8 control and that can be located after a reasonably diligent good faith search relating to the identity of
9 foreign customers.

10 REQUEST FOR PRODUCTION NO. 45:

11 All documents relating to any requirements of your customers, both in the United States and
12 worldwide, relating to any Accused Fairchild Device, including without limitation specifications,
13 design parameters, tolerances, features, functions, price, and other requirements.

14 RESPONSE TO REQUEST FOR PRODUCTION NO. 45:

15 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
16 further objects to this request to the extent that it seeks information that is protected by the attorney-
17 client privilege, the attorney work product privilege or any other available privilege or doctrine.
18 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
19 oppressive and seeking information that is not relevant to the subject matter of the pending action or
20 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
21 evidence. Fairchild is limiting this request to the eight specific Fairchild devices which were
22 identified in AOS's Preliminary Infringement Contentions.

23 Subject to these objections and the General Objections and without waiving them, Fairchild
24 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
25 control and that can be located after a reasonably diligent good faith search relating to the identity of
26 foreign customers.

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1 REQUEST FOR PRODUCTION NO. 46:

2 Documents and things sufficient to identify your sales of Accused Fairchild Devices and/or
3 other Fairchild products that were sold with any Accused Fairchild Device, both in the United States
4 and worldwide, including without limitation documents sufficient to identify the name of such
5 customers and the products the customers purchased.

6 RESPONSE TO REQUEST FOR PRODUCTION NO. 46:

7 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
8 further objects to this request to the extent that it seeks information that is protected by the attorney-
9 client privilege, the attorney work product privilege or any other available privilege or doctrine.
10 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
11 oppressive and seeking information that is not relevant to the subject matter of the pending action or
12 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
13 evidence. Fairchild is limiting this request to the eight specific Fairchild devices which were
14 identified in AOS's Preliminary Infringement Contentions.

15 Subject to these objections and the General Objections and without waiving them, Fairchild
16 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
17 control and that can be located after a reasonably diligent good faith search, relating to the identity of
18 foreign customers.

19 REQUEST FOR PRODUCTION NO. 47:

20 All documents reflecting Fairchild's profit margins on any Accused Fairchild Device,
21 including without limitation gross margin, order contribution, incremental profit, product margin and
22 product contribution margin from January 1, 1998 to the present.

23 RESPONSE TO REQUEST FOR PRODUCTION NO. 47:

24 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
25 further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
26 burdensome and oppressive.

27 Subject to these objections and the General Objections and without waiving them, Fairchild
28 responds as follows:

1 The parties have stipulated that this request can be deferred until a later period in discovery, to
2 be determined by the parties.

3 REQUEST FOR PRODUCTION NO. 48:

4 Documents sufficient to determine the profitability of all Accused Fairchild Devices, including
5 without limitation unit sales, revenues, costs, including costs of manufacturing and sales, gross
6 margins, operating margins, pricing elasticity, factors affecting price and price comparisons.

7 RESPONSE TO REQUEST FOR PRODUCTION NO. 48:

8 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
9 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive and
10 seeking information that is not relevant to the subject matter of the pending action or claims or
11 defenses of any party, and not reasonably calculated to lead to the discovery of admissible evidence.
12 Fairchild is limiting this request to the eight specific Fairchild devices which were identified in AOS's
13 Preliminary Infringement Contentions.

14 Subject to these objections and the General Objections and without waiving them, Fairchild
15 responds as follows:

16 The parties have stipulated that this request can be deferred until a later period in discovery, to
17 be determined by the parties.

18 REQUEST FOR PRODUCTION NO. 49:

19 Documents sufficient to determine the amount of sales, sales forecasts, costs of sales, projected
20 sales and anticipated sales of all Accused Fairchild Devices, including without limitation sales reports,
21 business plans, budgets, forecasts and outside consultants' or financial analysts' reports.

22 RESPONSE TO REQUEST FOR PRODUCTION NO. 49:

23 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
24 further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
25 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
26 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
27 discovery of admissible evidence. Fairchild is limiting this request to the eight specific Fairchild
28 devices which were identified in AOS's Preliminary Infringement Contentions.

1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 responds as follows:

3 The parties have stipulated that this request can be deferred until a later period in discovery, to
4 be determined by the parties.

5 REQUEST FOR PRODUCTION NO. 50:

6 Documents and things sufficient to determine the costs of production for all Accused Fairchild
7 Devices from January 1, 1998 to the present.

8 RESPONSE TO REQUEST FOR PRODUCTION NO. 50:

9 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
10 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive and
11 seeking information that is not relevant to the subject matter of the pending action or claims or
12 defenses of any party, and not reasonably calculated to lead to the discovery of admissible evidence.
13 Fairchild objects to this request on the grounds that it is not reasonably limited in time, as it requests
14 information "for the time period January 1, 1998 to the present." Fairchild is limiting this request to
15 the eight specific Fairchild devices which were identified in AOS's Preliminary Infringement
16 Contentions.

17 Subject to these objections and the General Objections and without waiving them, Fairchild
18 responds as follows:

19 The parties have stipulated that this request can be deferred until a later period in discovery, to
20 be determined by the parties.

21 REQUEST FOR PRODUCTION NO. 51:

22 All documents constituting or referring to analyses of the U.S. and worldwide markets for all
23 Accused Fairchild Device, including without limitation reports obtained by Fairchild from others.

24 RESPONSE TO REQUEST FOR PRODUCTION NO. 51:

25 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
26 further objects to this request to the extent that it seeks information that is protected by the attorney-
27 client privilege, the attorney work product privilege or any other available privilege or doctrine.
28 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly

1 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
2 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
3 discovery of admissible evidence.

4 Subject to these objections and the General Objections and without waiving them, Fairchild
5 responds as follows:

6 The parties have stipulated that this request can be deferred until a later period in discovery, to
7 be determined by the parties.

8 REQUEST FOR PRODUCTION NO. 52:

9 All documents discussing or relating to the share of the market possessed or expected to be
10 possessed by any Accused Fairchild Device from January 1, 1998 to the present.

11 RESPONSE TO REQUEST FOR PRODUCTION NO. 52:

12 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
13 further objects to this request to the extent that it seeks information that is protected by the attorney-
14 client privilege, the attorney work product privilege or any other available privilege or doctrine.
15 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
16 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
17 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
18 discovery of admissible evidence. Fairchild objects to this request on the grounds that it is not
19 reasonably limited in time, as it requests information "for the time period January 1, 1998 to the
20 present."

21 Subject to these objections and the General Objections and without waiving them, Fairchild
22 responds as follows:

23 The parties have stipulated that this request can be deferred until a later period in discovery, to
24 be determined by the parties.

25 REQUEST FOR PRODUCTION NO. 53:

26 All documents relating to any efforts to reduce manufacturing costs of any Accused Fairchild
27 Device and any benefits thereof.

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1 RESPONSE TO REQUEST FOR PRODUCTION NO. 53:

2 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
3 further objects to this request to the extent that it seeks information that is protected by the attorney-
4 client privilege, the attorney work product privilege or any other available privilege or doctrine.
5 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
6 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
7 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
8 discovery of admissible evidence.

9 Subject to these objections and the General Objections and without waiving them, Fairchild
10 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
11 control and that can be located after a reasonably diligent good faith search.

12 REQUEST FOR PRODUCTION NO. 54:

13 All documents relating to any communications between AOS and you relating to the patents-
14 in-suit, including without limitation any negotiations between AOS and you and materials used to
15 analyze the patents-in-suit.

16 RESPONSE TO REQUEST FOR PRODUCTION NO. 54:

17 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
18 further objects to this request to the extent that it seeks information that is protected by the attorney-
19 client privilege, the attorney work product privilege or any other available privilege or doctrine.
20 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
21 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
22 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
23 discovery of admissible evidence.

24 Subject to these objections and the General Objections and without waiving them, Fairchild
25 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
26 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 55:

2 All documents evidencing your knowledge or lack of knowledge concerning the downstream
3 sales or uses of any Accused Fairchild Device, including without limitation your knowledge or lack of
4 knowledge that any Accused Fairchild Devices are made, used, sold, offered for sale, or imported
5 in(to) the United States.

6 RESPONSE TO REQUEST FOR PRODUCTION NO. 55:

7 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
8 further objects to this request to the extent that it seeks information that is protected by the attorney-
9 client privilege, the attorney work product privilege or any other available privilege or doctrine.
10 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
11 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
12 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
13 discovery of admissible evidence. Fairchild is limiting this request to the eight specific Fairchild
14 devices which were identified in AOS's Preliminary Infringement Contentions.

15 Subject to these objections and the General Objections and without waiving them, Fairchild
16 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
17 control and that can be located after a reasonably diligent good faith search.

18 REQUEST FOR PRODUCTION NO. 56:

19 All documents and things relating to the Fairchild Asserted Patents.

20 RESPONSE TO REQUEST FOR PRODUCTION NO. 56:

21 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
22 further objects to this request to the extent that it seeks information that is protected by the attorney-
23 client privilege, the attorney work product privilege or any other available privilege or doctrine.
24 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and.

25 Subject to these objections and the General Objections and without waiving them, Fairchild
26 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
27 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 57:

2 All documents and things relating to any patents (whether expired or in force) or patent
3 applications (whether issued, pending, or abandoned) related to the Fairchild Asserted Patents,
4 including any continuations, continuations-in-part, divisionals, reissues, reexaminations, or
5 counterparts related thereto, and any related foreign patents and patent applications, including any
6 underlying patent applications.

7 RESPONSE TO REQUEST FOR PRODUCTION NO. 57:

8 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
9 further objects to this request to the extent that it seeks information that is protected by the attorney-
10 client privilege, the attorney work product privilege or any other available privilege or doctrine.
11 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
12 oppressive and seeking information that is not relevant to the subject matter of the pending action or
13 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
14 evidence.

15 Subject to these objections and the General Objections and without waiving them, Fairchild
16 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
17 control and that can be located after a reasonably diligent good faith search.

18 REQUEST FOR PRODUCTION NO. 58:

19 All documents supporting Fairchild's contention that AOS infringes the Fairchild Asserted
20 Patents.

21 RESPONSE TO REQUEST FOR PRODUCTION NO. 58:

22 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
23 further objects to this request to the extent that it seeks information that is protected by the attorney-
24 client privilege, the attorney work product privilege or any other available privilege or doctrine.
25 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
26 oppressive.

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1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 59:

5 All documents and things evidencing or relating to the conception of any invention claimed,
6 disclosed, or described by any Fairchild Asserted Patent.

7 RESPONSE TO REQUEST FOR PRODUCTION NO. 59:

8 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
9 further objects to this request to the extent that it seeks information that is protected by the attorney-
10 client privilege, the attorney work product privilege or any other available privilege or doctrine.
11 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
12 oppressive.

13 Subject to these objections and the General Objections and without waiving them, Fairchild
14 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
15 control and that can be located after a reasonably diligent good faith search.

16 REQUEST FOR PRODUCTION NO. 60:

17 All notebooks, diaries, files, appointment calendars, research reports, or workbooks generated
18 or maintained by any inventor of any of the Fairchild Asserted Patents or AOS Asserted Patents
19 during the time period beginning with the earliest possible date of conception of the patented
20 invention and ending with the issuance of the patent.

21 RESPONSE TO REQUEST FOR PRODUCTION NO. 60:

22 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
23 further objects to this request to the extent that it seeks information that is protected by the attorney-
24 client privilege, the attorney work product privilege or any other available privilege or doctrine.
25 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
26 oppressive and seeking information that is not relevant to the subject matter of the pending action or
27 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
28 evidence.

1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 61:

5 All documents and things prepared, reviewed, or edited by an inventor of any Fairchild
6 Asserted Patent relating to any invention disclosed, described, or claimed in the Fairchild Asserted
7 Patent.

8 RESPONSE TO REQUEST FOR PRODUCTION NO. 61:

9 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
10 further objects to this request to the extent that it seeks information that is protected by the attorney-
11 client privilege, the attorney work product privilege or any other available privilege or doctrine.
12 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
13 oppressive.

14 Subject to these objections and the General Objections and without waiving them, Fairchild
15 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
16 control and that can be located after a reasonably diligent good faith search.

17 REQUEST FOR PRODUCTION NO. 62:

18 Documents reflecting the last-known residence and employment of each inventor of any
19 Fairchild Asserted Patent.

20 RESPONSE TO REQUEST FOR PRODUCTION NO. 62:

21 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
22 objects on the grounds that this request is seeking information that is not relevant to the subject matter
23 of the pending action or claims or defenses of any party, and not reasonably calculated to lead to the
24 discovery of admissible evidence.

25 Subject to these objections and the General Objections and without waiving them, Fairchild
26 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
27 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 63:

2 All documents and things evidencing or relating to the first reduction to practice of any
3 invention claimed, disclosed, or described by any Fairchild Asserted Patent.

4 RESPONSE TO REQUEST FOR PRODUCTION NO. 63:

5 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
6 further objects to this request to the extent that it seeks information that is protected by the attorney-
7 client privilege, the attorney work product privilege or any other available privilege or doctrine.
8 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
9 burdensome and oppressive.

10 Subject to these objections and the General Objections and without waiving them, Fairchild
11 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
12 control and that can be located after a reasonably diligent good faith search.

13 REQUEST FOR PRODUCTION NO. 64:

14 All drawings, prototypes, notes, notebooks, workbooks, project reports, correspondence,
15 memoranda, reports, test results, and all other documents and things relating to, or that were created,
16 used, or referred to in connection with, the design, research, development, or testing of any invention
17 claimed, disclosed, or described in any Fairchild Asserted Patent.

18 RESPONSE TO REQUEST FOR PRODUCTION NO. 64:

19 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
20 further objects to this request to the extent that it seeks information that is protected by the attorney-
21 client privilege, the attorney work product privilege or any other available privilege or doctrine.
22 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
23 oppressive and seeking information that is not relevant to the subject matter of the pending action or
24 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
25 evidence.

26 Subject to these objections and the General Objections and without waiving them, Fairchild
27 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
28 control and that can be located after a reasonably diligent good faith search.

1 REQUEST FOR PRODUCTION NO. 65:

2 All drawings, prototypes, notes, notebooks, workbooks, project reports, correspondence,
3 memoranda, reports, test results, and all other documents and things relating to, or that were created,
4 used, or referred to in connection with, the design, research, development, or testing of any method for
5 improving (*sic*).

6 RESPONSE TO REQUEST FOR PRODUCTION NO. 65:

7 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
8 further objects to this request to the extent that it seeks information that is protected by the attorney-
9 client privilege, the attorney work product privilege or any other available privilege or doctrine.
10 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
11 oppressive and seeking information that is not relevant to the subject matter of the pending action or
12 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
13 evidence.

14 Subject to these objections and the General Objections and without waiving them, Fairchild
15 responds as follows:

16 This document request appears to be incomplete.

17 REQUEST FOR PRODUCTION NO. 66:

18 All documents and things regarding the breakdown characteristics or performance of trench
19 MOSFET devices, including without limitation breakdown initiation.

20 RESPONSE TO REQUEST FOR PRODUCTION NO. 66:

21 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
22 further objects to this request to the extent that it seeks information that is protected by the attorney-
23 client privilege, the attorney work product privilege or any other available privilege or doctrine.
24 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
25 oppressive, particularly with respect to the term "trench MOSFET devices," and seeking information
26 that is not relevant to the subject matter of the pending action or claims or defenses of any party, and
27 not reasonably calculated to lead to the discovery of admissible evidence. Fairchild objects to this
28 request to the extent that it seeks information that is equally available to both AOS and Fairchild, or

1 that must be obtained from third parties.

2 Subject to these objections and the General Objections and without waiving them, Fairchild
3 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
4 control and that can be located after a reasonably diligent good faith search.

5 REQUEST FOR PRODUCTION NO. 67:

6 All documents and things regarding the breakdown characteristics, breakdown performance,
7 and/or resistance to "punchthrough" of any devices that Fairchild contends practice any claim of the
8 Fairchild Asserted Patents, including without limitation any analysis or simulation of the breakdown
9 initiation in such devices.

10 RESPONSE TO REQUEST FOR PRODUCTION NO. 67:

11 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
12 further objects to this request to the extent that it seeks information that is protected by the attorney-
13 client privilege, the attorney work product privilege or any other available privilege or doctrine.
14 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
15 oppressive.

16 Subject to these objections and the General Objections and without waiving them, Fairchild
17 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
18 control and that can be located after a reasonably diligent good faith search.

19 REQUEST FOR PRODUCTION NO. 68:

20 All documents and things regarding the doping of any "heavy body" and any "doped well" in a
21 MOSFET device, including without limitation the existence or creation of any "abrupt junction" at any
22 interface between such a "heavy body" and such a "doped well."

23 RESPONSE TO REQUEST FOR PRODUCTION NO. 68:

24 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
25 further objects on the grounds that this request is overbroad, unduly burdensome and oppressive,
26 particularly with respect to the term "MOSFET device," and seeking information that is not relevant to
27 the subject matter of the pending action or claims or defenses of any party, and not reasonably
28 calculated to lead to the discovery of admissible evidence. Fairchild objects to this request to the

1 extent that it seeks information that is equally available to both AOS and Fairchild, or that must be
2 obtained from third parties.

3 Subject to these objections and the General Objections and without waiving them, Fairchild
4 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
5 control and that can be located after a reasonably diligent good faith search.

6 REQUEST FOR PRODUCTION NO. 69:

7 All documents and things referring to or defining an "abrupt junction."

8 RESPONSE TO REQUEST FOR PRODUCTION NO. 69:

9 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
10 further objects to this request to the extent that it seeks information that is protected by the attorney-
11 client privilege, the attorney work product privilege or any other available privilege or doctrine.
12 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
13 burdensome and oppressive.

14 Subject to these objections and the General Objections and without waiving them, Fairchild
15 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
16 control and that can be located after a reasonably diligent good faith search.

17 REQUEST FOR PRODUCTION NO. 70:

18 All documents and things constituting or relating to prior art references for any Fairchild
19 Asserted Patent.

20 RESPONSE TO REQUEST FOR PRODUCTION NO. 70:

21 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
22 further objects to this request to the extent that it seeks information that is protected by the attorney-
23 client privilege, the attorney work product privilege or any other available privilege or doctrine.
24 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
25 oppressive.

26 Subject to these objections and the General Objections and without waiving them, Fairchild
27 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
28 control and that can be located after a reasonably diligent good faith search.

1 REQUEST FOR PRODUCTION NO. 71:

2 All documents and things relating to your first commercial embodiment of each and every
3 Fairchild Asserted Patent.

4 RESPONSE TO REQUEST FOR PRODUCTION NO. 71:

5 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
6 further objects to this request to the extent that it seeks information that is protected by the attorney-
7 client privilege, the attorney work product privilege or any other available privilege or doctrine.
8 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
9 burdensome and oppressive.

10 Subject to these objections and the General Objections and without waiving them, Fairchild
11 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
12 control and that can be located after a reasonably diligent good faith search.

13 REQUEST FOR PRODUCTION NO. 72:

14 All documents referring to any AOS Device.

15 RESPONSE TO REQUEST FOR PRODUCTION NO. 72:

16 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
17 further objects to this request to the extent that it seeks information that is protected by the attorney-
18 client privilege, the attorney work product privilege or any other available privilege or doctrine.
19 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
20 oppressive and seeking information that is not relevant to the subject matter of the pending action or
21 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
22 evidence.

23 Subject to these objections and the General Objections and without waiving them, Fairchild
24 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
25 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 73:

2 All patents or patent applications (foreign or domestic, pending, abandoned or issued) owned
3 or controlled by you relating to the design, configuration, or method of manufacture of any MOSFET
4 IC device.

5 RESPONSE TO REQUEST FOR PRODUCTION NO. 73:

6 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
7 further objects to this request to the extent that it seeks information that is protected by the attorney-
8 client privilege, the attorney work product privilege or any other available privilege or doctrine.
9 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
10 oppressive particularly with respect to the term "any MOSFET IC device," and seeking information
11 that is not relevant to the subject matter of the pending action or claims or defenses of any party, and
12 not reasonably calculated to lead to the discovery of admissible evidence.

13 Subject to these objections and the General Objections and without waiving them, Fairchild
14 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
15 control and that can be located after a reasonably diligent good faith search.

16 REQUEST FOR PRODUCTION NO. 74:

17 All draft or final press releases relating to the AOS Asserted Patents, Fairchild Asserted
18 Patents, this lawsuit, or any product relating to any of the foregoing.

19 RESPONSE TO REQUEST FOR PRODUCTION NO. 74:

20 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
21 further objects to this request to the extent that it seeks information that is protected by the attorney-
22 client privilege, the attorney work product privilege or any other available privilege or doctrine.
23 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
24 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
25 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
26 discovery of admissible evidence.

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1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 75:

5 All documents reflecting any assignment, sale, acquisition, license or transfer of any rights
6 relating to any Fairchild Asserted Patent or any related patent or application.

7 RESPONSE TO REQUEST FOR PRODUCTION NO. 75:

8 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
9 further objects to this request to the extent that it seeks information that is protected by the attorney-
10 client privilege, the attorney work product privilege or any other available privilege or doctrine.
11 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
12 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
13 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
14 discovery of admissible evidence.

15 Subject to these objections and the General Objections and without waiving them, Fairchild
16 responds as follows:

17 The parties have stipulated that this request can be deferred until a later period in discovery, to
18 be determined by the parties.

19 REQUEST FOR PRODUCTION NO. 76:

20 The personnel files for any employee who was involved in the development of the claimed
21 invention in any Fairchild Asserted Patent.

22 RESPONSE TO REQUEST FOR PRODUCTION NO. 76:

23 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
24 further objects to this request to the extent that it seeks information that is protected by the attorney-
25 client privilege, the attorney work product privilege or any other available privilege or doctrine.
26 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
27 oppressive and seeking information that is not relevant to the subject matter of the pending action or
28 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible

1 evidence. Fairchild further objects to this interrogatory to the extent that it seeks information
2 protected by common law, constitutional and/or statutory rights of privacy. Fairchild further objects
3 to the extent that this request seeks the production of confidential employee files that are subject to
4 statutory, common law or constitutional rights to privacy. Personnel files contain highly personal and
5 sensitive information that falls within the scope of individual employees' rights of privacy, and
6 Fairchild, therefore, has an interest, and an obligation, to protect against their unnecessary disclosure
7 in discovery. Pursuant to the above objections, Fairchild will not produce documents in response to
8 this request.

9 REQUEST FOR PRODUCTION NO. 77:

10 All documents relating to your contemplated or actual commercial exploitation of any
11 invention disclosed, described, or claimed by any Fairchild Asserted Patent, including without
12 limitation feasibility studies, marketing plans, marketing forecasts, estimates or projections of market
13 share, periodic research and development reports, management reports or other periodic reports,
14 advertisements, promotional brochures, product literature, catalogs, trade show exhibits or displays,
15 technical brochures, specifications, price lists, contracts, purchase orders, papers published or
16 presented, and customer lists (including sales to all end-users, distributors and retailers).

17 RESPONSE TO REQUEST FOR PRODUCTION NO. 77:

18 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
19 further objects to this request to the extent that it seeks information that is protected by the attorney-
20 client privilege, the attorney work product privilege or any other available privilege or doctrine.
21 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
22 oppressive and seeking information that is not relevant to the subject matter of the pending action or
23 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
24 evidence.

25 Subject to these objections and the General Objections and without waiving them, Fairchild
26 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
27 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 78:

2 Documents sufficient to determine the structure, function, or operation of all products made,
3 used, sold, offered for sale, licensed, offered for license, or transferred by or for Fairchild that you
4 contend embody or use any invention disclosed, described, or claimed in any Fairchild Asserted
5 Patent.

6 RESPONSE TO REQUEST FOR PRODUCTION NO. 78:

7 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
8 further objects to this request to the extent that it seeks information that is protected by the attorney-
9 client privilege, the attorney work product privilege or any other available privilege or doctrine.
10 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
11 burdensome and oppressive.

12 Subject to these objections and the General Objections and without waiving them, Fairchild
13 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
14 control and that can be located after a reasonably diligent good faith search. o

15 REQUEST FOR PRODUCTION NO. 79:

16 Documents sufficient to identify all persons who participated in the design or development of
17 all products made, used, sold, offered for sale, licensed, offered for license, or transferred by or for
18 Fairchild that you contend embodies or uses any invention disclosed, described, or claimed in any
19 Fairchild Asserted Patent.

20 RESPONSE TO REQUEST FOR PRODUCTION NO. 79:

21 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
22 further objects to this request to the extent that it seeks information that is protected by the attorney-
23 client privilege, the attorney work product privilege or any other available privilege or doctrine.
24 Fairchild further objects on the grounds that this request is vague and ambiguous, and seeking
25 information that is not relevant to the subject matter of the pending action or claims or defenses of any
26 party, and not reasonably calculated to lead to the discovery of admissible evidence.

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1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 80:

5 All documents and things relating to commercial exploitation by others of any invention
6 disclosed, described, or claimed in any Fairchild Asserted Patent.

7 RESPONSE TO REQUEST FOR PRODUCTION NO. 80:

8 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
9 further objects to this request to the extent that it seeks information that is protected by the attorney-
10 client privilege, the attorney work product privilege or any other available privilege or doctrine.
11 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
12 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
13 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
14 discovery of admissible evidence.

15 Subject to these objections and the General Objections and without waiving them, Fairchild
16 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
17 control and that can be located after a reasonably diligent good faith search.

18 REQUEST FOR PRODUCTION NO. 81:

19 All documents and things relating to AOS.

20 RESPONSE TO REQUEST FOR PRODUCTION NO. 81:

21 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
22 further objects to this request to the extent that it seeks information that is protected by the attorney-
23 client privilege, the attorney work product privilege or any other available privilege or doctrine.
24 Fairchild further objects on the grounds that this request is vague and ambiguous, particularly with
25 respect to the term "relating to AOS," overbroad, unduly burdensome and oppressive and seeking
26 information that is not relevant to the subject matter of the pending action or claims or defenses of any
27 party, and not reasonably calculated to lead to the discovery of admissible evidence. Fairchild further
28 objects to this request on the grounds that it is duplicative of other requests.

1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 82:

5 All documents and things relating to any current or former employee of AOS.

6 RESPONSE TO REQUEST FOR PRODUCTION NO. 82:

7 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
8 further objects to this request to the extent that it seeks information that is protected by the attorney-
9 client privilege, the attorney work product privilege or any other available privilege or doctrine.
10 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
11 oppressive and seeking information that is not relevant to the subject matter of the pending action or
12 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
13 evidence. Fairchild further objects to this interrogatory to the extent that it seeks information
14 protected by common law, constitutional and/or statutory rights of privacy.

15 Subject to these objections and the General Objections and without waiving them, Fairchild
16 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
17 control and that can be located after a reasonably diligent good faith search to the extent that the
18 documents are not personnel files.

19 REQUEST FOR PRODUCTION NO. 83:

20 All documents and things relating to any AOS product.

21 RESPONSE TO REQUEST FOR PRODUCTION NO. 83:

22 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
23 further objects to this request to the extent that it seeks information that is protected by the attorney-
24 client privilege, the attorney work product privilege or any other available privilege or doctrine.
25 Fairchild further objects on the grounds that this request is overbroad, particularly with respect to the
26 term "any AOS product," unduly burdensome and oppressive and seeking information that is not
27 relevant to the subject matter of the pending action or claims or defenses of any party, and not
28 reasonably calculated to lead to the discovery of admissible evidence.

1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 84:

5 All documents relating to the prosecution of the applications that resulted in the Fairchild
6 Asserted Patents, or related patents or applications, including without limitation the file; of attorneys
7 or other individuals involved in prosecuting the Fairchild Asserted Patents, related patents, or related
8 applications.

9 RESPONSE TO REQUEST FOR PRODUCTION NO. 84:

10 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
11 further objects to this request to the extent that it seeks information that is protected by the attorney-
12 client privilege, the attorney work product privilege or any other available privilege or doctrine.
13 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
14 oppressive and seeking information that is not relevant to the subject matter of the pending action or
15 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
16 evidence.

17 Subject to these objections and the General Objections and without waiving them, Fairchild
18 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
19 control and that can be located after a reasonably diligent good faith search.

20 REQUEST FOR PRODUCTION NO. 85:

21 Documents sufficient to identify all persons involved with prosecuting the Fairchild Asserted
22 Patents, related patents, or related applications.

23 RESPONSE TO REQUEST FOR PRODUCTION NO. 85:

24 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
25 further objects to this request to the extent that it seeks information that is protected by the attorney-
26 client privilege, the attorney work product privilege or any other available privilege or doctrine.
27 Fairchild further objects on the grounds that this request is seeking information that is not relevant to
28 the subject matter of the pending action or claims or defenses of any party, and not reasonably

1 calculated to lead to the discovery of admissible evidence.

2 Subject to these objections and the General Objections and without waiving them, Fairchild
3 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
4 control and that can be located after a reasonably diligent good faith search.

5 REQUEST FOR PRODUCTION NO. 86:

6 All documents constituting or reflecting any search, investigation, evaluation, or opinion as to
7 the novelty, patentability, validity, enforceability, or scope of any Fairchild Asserted Patent, or any
8 related patent or application.

9 RESPONSE TO REQUEST FOR PRODUCTION NO. 86:

10 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
11 further objects to this request to the extent that it seeks information that is protected by the attorney-
12 client privilege, the attorney work product privilege or any other available privilege or doctrine.
13 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
14 oppressive and seeking information that is not relevant to the subject matter of the pending action or
15 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
16 evidence.

17 Subject to these objections and the General Objections and without waiving them, Fairchild
18 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
19 control and that can be located after a reasonably diligent good faith search.

20 REQUEST FOR PRODUCTION NO. 87:

21 All patents and other publications that were reviewed or received by anyone involved with
22 prosecuting any Fairchild Asserted Patent, related patent, or related application, during the period of
23 such involvement.

24 RESPONSE TO REQUEST FOR PRODUCTION NO. 87:

25 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
26 further objects to this request to the extent that it seeks information that is protected by the attorney-
27 client privilege, the attorney work product privilege or any other available privilege or doctrine.
28 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly

1 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
2 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
3 discovery of admissible evidence.

4 Subject to these objections and the General Objections and without waiving them, Fairchild
5 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
6 control and that can be located after a reasonably diligent good faith search.

7 REQUEST FOR PRODUCTION NO. 88:

8 All documents evidencing or relating to the earliest sales and offers for sale of any invention
9 disclosed, described, or claimed in any Fairchild Asserted Patent, or of any product embodying or
10 using any invention disclosed, described, or claimed in any Fairchild Asserted Patent, including
11 without limitation all advertising, sales, promotional, and technical materials relating to such offers
12 and sales.

13 RESPONSE TO REQUEST FOR PRODUCTION NO. 88:

14 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
15 further objects to this request to the extent that it seeks information that is protected by the attorney-
16 client privilege, the attorney work product privilege or any other available privilege or doctrine.
17 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
18 oppressive and seeking information that is not relevant to the subject matter of the pending action or
19 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
20 evidence.

21 Subject to these objections and the General Objections and without waiving them, Fairchild
22 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
23 control and that can be located after a reasonably diligent good faith search.

24 REQUEST FOR PRODUCTION NO. 89:

25 All documents and things evidencing or relating to making, using, testing, or selling any
26 invention disclosed, described, or claimed in any Fairchild Asserted Patent, including without
27 limitation documents and things relating to the first uses (whether or not public) of such inventions.

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1 RESPONSE TO REQUEST FOR PRODUCTION NO. 89:

2 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
3 further objects to this request to the extent that it seeks information that is protected by the attorney-
4 client privilege, the attorney work product privilege or any other available privilege or doctrine.
5 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
6 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
7 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
8 discovery of admissible evidence.

9 Subject to these objections and the General Objections and without waiving them, Fairchild
10 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
11 control and that can be located after a reasonably diligent good faith search.

12 REQUEST FOR PRODUCTION NO. 90:

13 All documents and things evidencing or relating to (a) public use, (b) on sale activity,
14 (c) commercial exploitation, and (d) experimental use (as these phrases are used in the application of
15 35 U.S.C. § 102(b)), by each inventor, you, or any other person, of any invention disclosed, described,
16 or claimed in any Fairchild Asserted Patent.

17 RESPONSE TO REQUEST FOR PRODUCTION NO. 90:

18 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
19 further objects to this request to the extent that it seeks information that is protected by the attorney-
20 client privilege, the attorney work product privilege or any other available privilege or doctrine.
21 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
22 oppressive and seeking information that is not relevant to the subject matter of the pending action or
23 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
24 evidence.

25 Subject to these objections and the General Objections and without waiving them, Fairchild
26 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
27 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 91:

2 All documents and things constituting, evidencing or relating to patents, publications, written
3 descriptions, or other prior art references of which you are aware, relating to any invention claimed in
4 any of the Fairchild Asserted Patents.

5 RESPONSE TO REQUEST FOR PRODUCTION NO. 91:

6 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
7 further objects to this request to the extent that it seeks information that is protected by the attorney-
8 client privilege, the attorney work product privilege or any other available privilege or doctrine.
9 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
10 oppressive.

11 Subject to these objections and the General Objections and without waiving them, Fairchild
12 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
13 control and that can be located after a reasonably diligent good faith search.

14 REQUEST FOR PRODUCTION NO. 92:

15 All documents constituting or reflecting searches, investigations, or evaluations of domestic or
16 foreign patents, literature, or other published materials relating to any invention disclosed, described,
17 or claimed in any of the Fairchild Asserted Patents.

18 RESPONSE TO REQUEST FOR PRODUCTION NO. 92:

19 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
20 further objects to this request to the extent that it seeks information that is protected by the attorney-
21 client privilege, the attorney work product privilege or any other available privilege or doctrine.
22 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
23 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
24 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
25 discovery of admissible evidence.

26 REQUEST FOR PRODUCTION NO. 93:

27 All documents and things evidencing or relating to products of third parties that constitute
28 prior art to any Fairchild Asserted Patent.

1 RESPONSE TO REQUEST FOR PRODUCTION NO. 93:

2 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
3 further objects to this request to the extent that it seeks information that is protected by the attorney-
4 client privilege, the attorney work product privilege or any other available privilege or doctrine.
5 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
6 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
7 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
8 discovery of admissible evidence.

9 Subject to these objections and the General Objections and without waiving them, Fairchild
10 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
11 control and that can be located after a reasonably diligent good faith search.

12 REQUEST FOR PRODUCTION NO. 94:

13 All publications, including without limitation books, book excerpts, articles in technical or
14 trade publications, conference papers or presentations, or internal technical memoranda, authored in
15 whole or in part by any inventor of any Fairchild Asserted Patent, regarding breakdown performance
16 or breakdown characteristics of MOSFETs.

17 RESPONSE TO REQUEST FOR PRODUCTION NO. 94:

18 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
19 further objects to this request to the extent that it seeks information that is protected by the attorney-
20 client privilege, the attorney work product privilege or any other available privilege or doctrine.
21 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
22 burdensome and oppressive, particularly with respect to the general term "MOSFETs," and seeking
23 information that is not relevant to the subject matter of the pending action or claims or defenses of any
24 party, and not reasonably calculated to lead to the discovery of admissible evidence.

25 Subject to these objections and the General Objections and without waiving them, Fairchild
26 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
27 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 95:

2 All publications, articles, conference papers, or technical or marketing presentations relating to
3 any commercial embodiment of the Fairchild Asserted Patents.

4 RESPONSE TO REQUEST FOR PRODUCTION NO. 95:

5 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
6 further objects to this request to the extent that it seeks information that is protected by the attorney-
7 client privilege, the attorney work product privilege or any other available privilege or doctrine.
8 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
9 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
10 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
11 discovery of admissible evidence.

12 Subject to these objections and the General Objections and without waiving them, Fairchild
13 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
14 control and that can be located after a reasonably diligent good faith search.

15 REQUEST FOR PRODUCTION NO. 96:

16 All documents and things relating to whether any commercial embodiment, or invention
17 disclosed, described, or claimed in any Fairchild Asserted Patent satisfied any long-felt but unresolved
18 need.

19 RESPONSE TO REQUEST FOR PRODUCTION NO. 96:

20 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
21 further objects to this request to the extent that it seeks information that is protected by the attorney-
22 client privilege, the attorney work product privilege or any other available privilege or doctrine.
23 Fairchild further objects on the grounds that this request is vague and ambiguous, verbroad, unduly
24 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
25 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
26 discovery of admissible evidence.

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1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

4 REQUEST FOR PRODUCTION NO. 97:

5 All documents and things evidencing or relating to any problems solved by any commercial
6 embodiment or invention disclosed, described, or claimed in any Fairchild Asserted Patent.

7 RESPONSE TO REQUEST FOR PRODUCTION NO. 97:

8 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
9 further objects to this request to the extent that it seeks information that is protected by the attorney-
10 client privilege, the attorney work product privilege or any other available privilege or doctrine.
11 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
12 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
13 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
14 discovery of admissible evidence.

15 Subject to these objections and the General Objections and without waiving them, Fairchild
16 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
17 control and that can be located after a reasonably diligent good faith search.

18 REQUEST FOR PRODUCTION NO. 98:

19 All documents and things evidencing or relating to failures by persons to solve any problems
20 solved by any commercial embodiment or invention disclosed, described, or claimed in any Fairchild
21 Asserted Patent.

22 RESPONSE TO REQUEST FOR PRODUCTION NO. 98:

23 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
24 further objects to this request to the extent that it seeks information that is protected by the attorney-
25 client privilege, the attorney work product privilege or any other available privilege or doctrine.
26 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
27 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
28 pending action or claims or defenses of any party, and not reasonably calculated to lead to the

1 discovery of admissible evidence.

2 Subject to these objections and the General Objections and without waiving them, Fairchild
3 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
4 control and that can be located after a reasonably diligent good faith search.

5 REQUEST FOR PRODUCTION NO. 99:

6 All documents and things evidencing or relating to whether any commercial embodiment or
7 invention disclosed, described, or claimed in any Fairchild Asserted Patent, has been commercially
8 successful.

9 RESPONSE TO REQUEST FOR PRODUCTION NO. 99:

10 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
11 further objects to this request to the extent that it seeks information that is protected by the attorney-
12 client privilege, the attorney work product privilege or any other available privilege or doctrine.
13 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
14 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
15 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
16 discovery of admissible evidence.

17 Subject to these objections and the General Objections and without waiving them, Fairchild
18 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
19 control and that can be located after a reasonably diligent good faith search.

20 REQUEST FOR PRODUCTION NO. 100:

21 All documents and things evidencing or relating to whether any commercial embodiment or
22 invention disclosed, described, or claimed in any Fairchild Asserted Patent, has been copied by others.

23 RESPONSE TO REQUEST FOR PRODUCTION NO. 100:

24 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
25 further objects to this request to the extent that it seeks information that is protected by the attorney-
26 client privilege, the attorney work product privilege or any other available privilege or doctrine.
27 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
28 burdensome and oppressive and seeking information that is not relevant to the subject matter of the

1 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
2 discovery of admissible evidence.

3 Subject to these objections and the General Objections and without waiving them, Fairchild
4 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
5 control and that can be located after a reasonably diligent good faith search.

6 REQUEST FOR PRODUCTION NO. 101:

7 All documents and things evidencing or relating to whether any commercial embodiment or
8 invention disclosed, described, or claimed in any Fairchild Asserted Patent, has been praised by
9 anyone other than its inventors or you.

10 RESPONSE TO REQUEST FOR PRODUCTION NO. 101:

11 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
12 further objects to this request to the extent that it seeks information that is protected by the attorney-
13 client privilege, the attorney work product privilege or any other available privilege or doctrine.
14 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
15 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
16 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
17 discovery of admissible evidence.

18 Subject to these objections and the General Objections and without waiving them, Fairchild
19 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
20 control and that can be located after a reasonably diligent good faith search.

21 REQUEST FOR PRODUCTION NO. 102:

22 All documents and things evidencing or relating to whether any commercial embodiment or
23 invention disclosed, described, or claimed in any Fairchild Asserted Patent has departed from accepted
24 principles in the industry.

25 RESPONSE TO REQUEST FOR PRODUCTION NO. 102:

26 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
27 further objects to this request to the extent that it seeks information that is protected by the attorney-
28 client privilege, the attorney work product privilege or any other available privilege or doctrine.

1 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
 2 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
 3 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
 4 discovery of admissible evidence.

5 Subject to these objections and the General Objections and without waiving them, Fairchild
 6 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
 7 control and that can be located after a reasonably diligent good faith search.

8 REQUEST FOR PRODUCTION NO. 103:

9 All documents and things evidencing or relating to whether any commercial embodiment or
 10 invention disclosed, described, or claimed in any Fairchild Asserted Patent has been recognized by the
 11 industry or received industry acclaim.

12 RESPONSE TO REQUEST FOR PRODUCTION NO. 103:

13 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
 14 further objects to this request to the extent that it seeks information that is protected by the attorney-
 15 client privilege, the attorney work product privilege or any other available privilege or doctrine.

16 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
 17 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
 18 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
 19 discovery of admissible evidence.

20 Subject to these objections and the General Objections and without waiving them, Fairchild
 21 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
 22 control and that can be located after a reasonably diligent good faith search.

23 REQUEST FOR PRODUCTION NO. 104:

24 All documents evidencing or relating to the level of knowledge, schooling, experience,
 25 expertise, or relevant technical information of a person having ordinary skill in the arts to which any
 26 invention is disclosed, described, or claimed in the Fairchild Asserted Patents (as this phrase is used in
 27 35 U.S.C. § 103).

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1 RESPONSE TO REQUEST FOR PRODUCTION NO. 104:

2 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
3 further objects to this request to the extent that it seeks information that is protected by the attorney-
4 client privilege, the attorney work product privilege or any other available privilege or doctrine.
5 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
6 oppressive and seeking information that is not relevant to the subject matter of the pending action or
7 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
8 evidence. Fairchild objects to the extent that this request calls for an expert opinion and expert
9 discovery has not yet commenced. Fairchild objects to this request on the grounds that it is
10 duplicative of request number 9.

11 REQUEST FOR PRODUCTION NO. 105:

12 All documents and things evidencing or relating to any mode contemplated by any inventor for
13 carrying out any invention disclosed, described, or claimed in any Fairchild Asserted Patent, from a
14 period starting with the earliest possible conception of the invention and ending six months after the
15 patent application was filed.

16 RESPONSE TO REQUEST FOR PRODUCTION NO. 105:

17 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
18 further objects to this request to the extent that it seeks information that is protected by the attorney-
19 client privilege, the attorney work product privilege or any other available privilege or doctrine.
20 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
21 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
22 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
23 discovery of admissible evidence.

24 Subject to these objections and the General Objections and without waiving them, Fairchild
25 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
26 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 106:

2 For the Fairchild Asserted Patents, all documents and things evidencing or relating to the best
 3 mode contemplated by their inventors carrying out any invention disclosed, described, or claimed in
 4 the patents or applications (as this phrase is used in 35 U.S.C. § 112, 1st paragraph).

5 RESPONSE TO REQUEST FOR PRODUCTION NO. 106:

6 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
 7 further objects to this request to the extent that it seeks information that is protected by the attorney-
 8 client privilege, the attorney work product privilege or any other available privilege or doctrine.

9 Subject to these objections and the General Objections and without waiving them, Fairchild
 10 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
 11 control and that can be located after a reasonably diligent good faith search.

12 REQUEST FOR PRODUCTION NO. 107:

13 All documents reflecting any statement, assertion, or claim by anyone relating to the
 14 patentability, validity, enforceability, or scope of any claim of any Fairchild Asserted Patent, including
 15 without limitation any document that states or implies that any Fairchild Asserted Patent, or any claim
 16 thereof, is, or may be, invalid or unenforceable.

17 RESPONSE TO REQUEST FOR PRODUCTION NO. 107:

18 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
 19 further objects to this request to the extent that it seeks information that is protected by the attorney-
 20 client privilege, the attorney work product privilege or any other available privilege or doctrine.
 21 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
 22 oppressive and seeking information that is not relevant to the subject matter of the pending action or
 23 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
 24 evidence.

25 Subject to these objections and the General Objections and without waiving them, Fairchild
 26 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
 27 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 108:

2 Documents sufficient to determine when and how you first learned of any of the AOS Devices
3 that allegedly infringe any Fairchild Asserted Patent.

4 RESPONSE TO REQUEST FOR PRODUCTION NO. 108:

5 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
6 further objects to this request to the extent that it seeks information that is protected by the attorney-
7 client privilege, the attorney work product privilege or any other available privilege or doctrine.

8 Subject to these objections and the General Objections and without waiving them, Fairchild
9 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
10 control and that can be located after a reasonably diligent good faith search.

11 REQUEST FOR PRODUCTION NO. 109:

12 All documents and things evidencing or relating to AOS's alleged use of any invention
13 disclosed, described, or claimed in any Fairchild Asserted Patent, including without limitation all
14 documents and things establishing or otherwise showing when and how you first learned of any such
15 alleged use or infringement.

16 RESPONSE TO REQUEST FOR PRODUCTION NO. 109:

17 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
18 further objects to this request to the extent that it seeks information that is protected by the attorney-
19 client privilege, the attorney work product privilege or any other available privilege or doctrine.
20 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
21 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
22 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
23 discovery of admissible evidence.

24 Subject to these objections and the General Objections and without waiving them, Fairchild
25 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
26 control and that can be located after a reasonably diligent good faith search.

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1 REQUEST FOR PRODUCTION NO. 110:

2 All documents and things constituting, evidencing or relating to any analysis of any of AOS's
3 products for potential or actual infringement of any Fairchild Asserted Patent.

4 RESPONSE TO REQUEST FOR PRODUCTION NO. 110:

5 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
6 further objects to this request to the extent that it seeks information that is protected by the attorney-
7 client privilege, the attorney work product privilege or any other available privilege or doctrine.
8 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
9 oppressive.

10 Subject to these objections and the General Objections and without waiving them, Fairchild
11 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
12 control and that can be located after a reasonably diligent good faith search.

13 REQUEST FOR PRODUCTION NO. 111:

14 All documents constituting or reflecting any opinion regarding infringement by anyone of any
15 Fairchild Asserted Patent.

16 RESPONSE TO REQUEST FOR PRODUCTION NO. 111:

17 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
18 further objects to this request to the extent that it seeks information that is protected by the attorney-
19 client privilege, the attorney work product privilege or any other available privilege or doctrine.
20 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
21 oppressive and seeking information that is not relevant to the subject matter of the pending action or
22 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
23 evidence.

24 Subject to these objections and the General Objections and without waiving them, Fairchild
25 responds as follows:

26 The parties have stipulated that this request can be deferred until a later period in discovery, to
27 be determined by the parties.

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1 REQUEST FOR PRODUCTION NO. 112:

2 A fully functional sample of each commercial embodiment of each and every Fairchild
3 Asserted Patent.

4 RESPONSE TO REQUEST FOR PRODUCTION NO. 112:

5 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
6 further objects to this request to the extent that it seeks information that is protected by the attorney-
7 client privilege, the attorney work product privilege or any other available privilege or doctrine.
8 Fairchild further objects on the grounds that this request is vague and ambiguous, overbroad, unduly
9 burdensome and oppressive and seeking information that is not relevant to the subject matter of the
10 pending action or claims or defenses of any party, and not reasonably calculated to lead to the
11 discovery of admissible evidence.

12 REQUEST FOR PRODUCTION NO. 113:

13 All documents and things constituting, evidencing or relating to any product that competes
14 with any commercial embodiment.

15 RESPONSE TO REQUEST FOR PRODUCTION NO. 113:

16 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
17 objects to this request on the grounds that it is vague and ambiguous with respect to the phrase "any
18 product that competes with any commercial embodiment." Fairchild further objects to this request to
19 the extent that it seeks information that is protected by the attorney-client privilege, the attorney work
20 product privilege or any other available privilege or doctrine. Fairchild further objects on the grounds
21 that this request is overbroad, unduly burdensome and oppressive and seeking information that is not
22 relevant to the subject matter of the pending action or claims or defenses of any party, and not
23 reasonably calculated to lead to the discovery of admissible evidence.

24 REQUEST FOR PRODUCTION NO. 114:

25 All documents and things that show any commercial embodiment marked with a U.S. patent
26 number of the relevant Fairchild Asserted Patent in accordance with 35 U.S.C. § 287, including the
27 dates on which the mark was affixed, the identity of the person(s) who marked the commercial
28 embodiment and the manner in which each such commercial embodiment was marked.

1 RESPONSE TO REQUEST FOR PRODUCTION NO. 114:

2 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
3 further objects to this request to the extent that it seeks information that is protected by the attorney-
4 client privilege, the attorney work product privilege or any other available privilege or doctrine.
5 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
6 oppressive.

7 Subject to these objections and the General Objections and without waiving them, Fairchild
8 responds as follows:

9 The parties have stipulated that this request can be deferred until a later period in discovery, to
10 be determined by the parties.

11 REQUEST FOR PRODUCTION NO. 115:

12 Documents sufficient to identify, such as by manufacturer, model, and part number, all
13 automated information systems at Fairchild, both past and present, including e-mail and document
14 management systems, including without limitation any such e-mail or document management systems
15 that would apply to documents concerning the design, manufacture, production, marketing, or sales of
16 Accused Fairchild Devices or documents concerning the AOS Asserted Patents or the Fairchild
17 Asserted Patents.

18 RESPONSE TO REQUEST FOR PRODUCTION NO. 115:

19 Fairchild incorporates by reference herein its General Objections stated above. Fairchild
20 further objects to this request to the extent that it seeks information that is protected by the attorney-
21 client privilege, the attorney work product privilege or any other available privilege or doctrine.
22 Fairchild further objects on the grounds that this request is overbroad, unduly burdensome and
23 oppressive and seeking information that is not relevant to the subject matter of the pending action or
24 claims or defenses of any party, and not reasonably calculated to lead to the discovery of admissible
25 evidence. Fairchild objects to this Interrogatory on the grounds that it is not reasonably limited in
26 time, as it requests information on "all automated information systems at Fairchild, both past and
27 present." Fairchild is limiting this request to the eight specific Fairchild devices which were identified
28 in AOS's Preliminary Infringement Contentions.

1 Subject to these objections and the General Objections and without waiving them, Fairchild
2 will produce non-privileged, responsive documents that are within Fairchild's possession, custody or
3 control and that can be located after a reasonably diligent good faith search.

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1 DATED: September 28, 2007

Respectfully submitted,

2
3 By: Eric P. Jacobs /ps

Eric P. Jacobs

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FAIRCHILD SEMICONDUCTOR CORPORATION

10 61113916 v1

CERTIFICATE OF SERVICE

[C.C.P. §§ 1011 and 1013, C.R.C. § 2008, F.R.C.P. Rule 5, F.R.A.P. 25]

I declare that I am employed in the City and County of San Francisco, California; I am over the age of 18 years and not a party to the within action; my business address is Two Embarcadero Center, Eighth Floor, San Francisco, California, 94111. On the date set forth below, I served a true and accurate copy of the document(s) entitled:

FAIRCHILD SEMICONDUCTOR CORPORATION'S RESPONSES TO ALPHA & OMEGA SEMICONDUCTOR, INC.'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS

on the party(ies) in this action by placing said copy(ies) in a sealed envelope each addressed as follows:

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☒ [By First Class Mail] I am readily familiar with my employer's practice for collecting and processing documents for mailing with the United States Postal Service. On the date listed herein, following ordinary business practice, I served the within document(s) at my place of business, by placing a true copy thereof, enclosed in a sealed envelope, with postage thereon fully prepaid, for collection and mailing with the United States Postal Service where it would be deposited with the United States Postal Service that same day in the ordinary course of business.

☐ [By Overnight Courier] I caused each envelope to be delivered by a commercial carrier service for overnight delivery to the offices of the addressee(s).


☐ [By Hand] I directed each envelope to the party(ies) so designated on the service list to be delivered by courier this date.

☐ [By Facsimile Transmission] I caused said document to be sent by facsimile transmission to the fax number indicated for the party(ies) listed above.

☐ [By Electronic Transmission] I caused said document to be sent by electronic transmission to the e-mail address(es) indicated for the party(ies) listed above.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this date at San Francisco, California.

Dated: September 28, 2007.


Diane G. Sunnen

61113916 v1